

Loyola University New Orleans

CRJU-C105-051: Introduction to Criminal Justice Systems

Spring 2004

I. Instructor/Contact Information:

Instructor: Patrick D. Walsh, MCJ

Office: Stallings Room 107

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Appointments: By prior arrangement or before/after class

II. Course Meeting Time/Place:

Tuesdays, 620pm- 900pm

January 13- May 13, 2004

Classroom: TBA (Available via LORA approx. 2 weeks prior to start of Spring 2004 semester)

III. Course Description:

This course will provide a solid overview of the three primary components that comprise the criminal justice system. The role, function, and challenges of the law enforcement, legal, and corrections systems will be reviewed and discussed. The discussions will include the roles of prosecutors, defense attorneys, bail bond agencies, corrections officers, probation and parole officers.

IV. Course Objectives:

Each student will have a clear understanding of the three primary criminal justice system components and their interactions. An understanding of the concept of public and community safety versus the rights of the individual will be obtained through the review of major case law.

V. Course Text (required):

Incardi, James A. (2002). *Criminal Justice*. 7th Edition. Harcourt College Publishers: Fort Worth, TX.

VI. Course Requirements:

- (1) Research paper (**weighted 40%**)
- (2) Mid-term examination (**weighted 25%**)
- (3) Final Examination (**weighted 25%**)
- (4) Class participation (**weighted 10%**)

Grading scale:

- A = 90- 100
- B = 80- 89
- C = 70- 79
- D = 60- 69
- F = 59- below

Test and paper submission guidelines:

Both the mid-term and final examinations are required to be taken/submitted on their respective assigned date. The research paper will be due on the assigned date. Any deviation from those dates will be handled on an individual basis. All dates will be discussed during the first class period.

VII. Course Outline:

January 13, 2004 (1)

- Overview of course
- Review of grading protocol
- Requirements for research assignment
- Chapter 1- "Criminal Justice" in America
 - Burger Court
 - Warren Court
 - Due process model
 - Law and order model

- Chapter 2- Crime and the Nature of Law
 - Crime defined
 - Natural Law
 - Theories of crime causation
 - Defenses to responsibility
 - Mens rea

January 20, 2004 (2)

- Chapter 3- Legal and Behavioral Aspects of Crime
 - Categories of crime
 - Crimes against person/ crimes against property
 - Crimes against public order and safety

Degrees of crime
Felony- murder doctrine
Enhanced crimes/ enhanced enforcement efforts

Chapter 4- Criminal Statistics and the Extent of Crime
Uniform Crime Reports/ Part I and Part II offenses
Crime Clock
National Crime Victimization Survey
Arrestee Drug Abuse Monitoring (ADAM)
Perception of crime vs. Reality of crime

January 27, 2004 (3)

Chapter 5- The Process of Justice
Trial by ordeal/ inquisitorial / adversarial processes
Bill of Rights
Specific noted cases
Due Process-
Substantive- *Buck v. Bell*
Procedural – *United States v. Valdovinos- Valdovinos*
Criminal Justice Process
Arrest
Booking
Initial Appearance
Preliminary hearing
Arraignment
Trial proper
Sentencing
Incarceration
Appeals

February 3, 2004 (4)

Chapter 6- Police Systems in the United States
Historical overview of modern policing (Europe)
Early American police organizations
Federal law enforcement agencies
State police agencies
Municipal police agencies
Private sector enforcement
Volunteer/auxiliary agencies

Chapter 7- Enforcing the Law and Keeping the Peace
Role of the police (peacekeeping/ arrest activity)
Police bureaucracy
Organization of policing agencies

- Foot Patrol
- Motorized Patrol (Kansas City Experiment)
- Detective Units
- Specialized Units- SWAT, Fraud, Internet, Intelligence
- Community Policing
- Police Discretion
- Full vs. Selective Enforcement

February 10, 2004 (5)

Chapter 8- The Law of Arrest, Search, and Seizure

- Police investigative powers
- Police arrest powers
- Search warrants
- Warrantless searches
 - Search incident to arrest
 - Stop-and –frisk (*Terry v. Ohio*)
 - Automobile searches
- Pursuit
- Crime scene
- Consent
- Inventory
- Plain View
- Exclusionary Rule
 - Mapp v. Ohio*
- Custodial Interrogation
 - Brown v. Mississippi*
 - Miranda v. Arizona*
- Lineups/photo arrays/ showups

February 17, 2004 (6)

Chapter 10- The Structure of the American Court

- Jurisdiction (limited, general, appellate)
- Federal vs. State Structure
- Lower Courts
- Dedicated courts (drug courts)
- Selection of judges
- U.S. Supreme Court
 - Caseload
 - Rule of Four
 - Outcome (affirmed, reversed, remanded)
 - Marbury v. Madison*
 - Mid-term review

February 24, 2004
Mardi Gras

March 2, 2004 (8)

Chapter 11- Judges, Prosecutors, and Other Performers at the Bar of
Justice

Judges

Roles/responsibilities

Selection process

Prosecutors

Role/responsibilities

Prosecutorial discretion

Plea negotiations/bargaining

Defense Attorneys

Function

Retained counsel/appointed counsel (indigent)

Witnesses/expert witnesses/ medical examiners

Right to counsel

“Scottsboro Boys”

Specific cases (expanding/narrowing right to counsel)

March 9, 2004 (9)

Chapter 12- The Business of the Court- From First Appearance Through
Trial

Bail/pretrial release

Bail determination/procedure

Question of discrimination

Pretrial detention

ROR

The Plea

Pretrial motions

Right to a speedy trial

Right to a public trial

The Jury

Selection

Voir Dire

Trial Proper

March 16, 2004 (10)

Chapter 13- Sentencing, Appeal, and the Judgment of Death

Sentencing

Retribution/ Vengeance/ Incapacitation/ Deterrence

Sentencing options

- Truth in sentencing
- Presentence reports
- Allocution
- Death Penalty
 - Cruel and Unusual
 - Discriminatory
 - Supreme Court cases
- Death Penalty Debate
 - Economic
 - Retribution
 - Public Opinion
 - Community Protection
 - Deterrence
 - Irreversibility
 - Discrimination
 - Protection of the Criminal Justice System
 - Brutalization
 - Cruel and Unusual Punishment
- Appeals Process

March 23, 2004 (11)

Chapter 14 – Corrections

- Punishment in the Colonies
- Punishment vs. Reformation
- Classical School of Criminology
- Early American Prison System
 - Walnut Street
 - Separate System
 - Silent System
 - Prison Industries
 - Contract System
 - Piece-price System
 - Lease System
 - Business Objections
 - “Irish” System
- Jails
 - Population
 - Conditions

March 30, 2004 (12)

Chapter 15- Penitentiaries, Prisons, and Other Correctional Institutional

- Types of Prisons
- Organizational Structure
- Classification Systems

Prison Discipline
Sexual Relationships

April 6, 2004

Easter Break

April 13, 2004 (13)

Chapter 16- Prison Conditions and Inmate Rights
Attica/Angola/Parchman
Writ of Habeas Corpus
Inmate Access to Legal Services
Inmates' Constitutional Rights
Discipline
 Corporal
 Solitary Confinement
Prison Conditions

April 20, 2004 (14)

Chapter 17- Probation, Parole, Community-Based Corrections
Diversion Programs
Probation
 Shock Probation
 Conditions of Probation
 Revocation
 Effectiveness
Parole
 Origins
 Eligibility
 Selection Process
 Conditions
Community-Based Corrections
 Furlough
 Work Release
Challenges to the Parole System

April 27, 2004 (15)

Chapter 18- Juvenile Justice
 Parens Patriae
 Police Discretion
 Constitutional Issues
 Capital Punishment Debate
 Review for Final Exam

May 4, 2004 **Final Exam**

Note: All reading assignments/class discussions are tentative and are based on an assumed pace. Any adjustments will be discussed during the class period.

VIII. Classroom Conduct and Attendance:

Classroom attendance is required, and as such the roster will be verified at the beginning and end of class. Excessive absence from class could result in grade loss. Students are expected to have read the assigned materials prior to the class period. The readings are designed to prepare the student for discussion of the topic. Regardless of whether or not a certain topic is discussed, the student is responsible for all assigned reading materials.

IX. Research Paper

A research paper is required for this class, weighted at 40% of the final grade. Specific details of the paper will be discussed in length at the first class period. Briefly, the paper is to be a minimum of 15 pages (excluding title page, cover sheet, and references) with an appropriate number of sources (minimum of 15). A topic submission date will also be discussed at the first class period. Papers must be the original work (not submitted for another class) of the students. Usage of the campus WAC services is strongly encouraged.